

**GOVERNMENT OF INDIA
ROAD TRANSPORT AND HIGHWAYS
LOK SABHA**

UNSTARRED QUESTION NO:1397
ANSWERED ON:26.02.2003
LEGISLATION FOR SMOOTH TRANSPORT SYSTEM
RAM PRASAD SINGH

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the Government propose to bring a legislation to ensure smooth transport system on highways;
- (b) if so, whether the Government propose to constitute a body to remove the encroachments and to check the traffic overflow;
- (c) if so, the details thereof;
- (d) the financial implications of the said scheme and whether both the State Governments and Union Government will share the expenditure of the scheme;
- (e) if so, the ratio of the expenditure to be shared by the State Governments and the Union Government;
- (f) whether the Government propose to set up a tribunal for disposal of disputes; and
- (g) if so, the details in this regard?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS [MAJOR GENERAL (RETD) KHANDUR]

- (a) `Control of National Highways(Land and Traffic) Act, 2002` has been enacted. This Act provides for control of land within the National Highways, right of way and traffic moving on the National Highways and also for removal of unauthorised occupation thereon.
- (b) & (c) Yes, Sir. The Act provides for constituting Highway Administrations consisting of one or more officers of the Central Government or the State Government to exercise the powers and discharge the functions conferred on them by the aforesaid Act, which includes removal of encroachment and control of traffic.
- (d) & (e) Non-recurring expenditure of Rs.58.11 crore and a recurring expenditure of Rs. 26.21 crore per annum is estimated to be incurred in this regard by the Central Government. No expenditure on this account shall be borne by the State Governments.
- (f) & (g) Yes, Sir. National Highways Tribunals each consisting of one person to be known as its Presiding Officer, shall be established by the Central Government to hear the appeals against the orders passed by the Highway Administrations and the jurisdiction of the all the courts (except the Supreme Court and the High Courts exercising Jurisdiction under Articles 226 and 227 of the Constitution) shall be barred from the date the Act comes into force.